

## INSTRUCTIONS FOR FILING A CIVIL RIGHTS COMPLAINT

We enclose a complaint form and an in forma pauperis petition and affidavit. It is unlikely that your complaint will be filed unless it conforms to the following instructions:

1. You must file with the court an original complaint plus one copy for each defendant that you sue. For example, if you sue two defendants, you must file an original and two copies. Do not forget to keep a set of copies for yourself.
2. All of your copies must be carbon copies or photocopies. Handwritten originals are acceptable, but handwritten copies of originals are not.
3. Your complaint must be legible and signed by each plaintiff. It need not be notarized. However, each plaintiff must attest under penalty of perjury that the complaint is true. You are warned that any false statement of material fact may subject you to prosecution and conviction.
4. You must fill out the complaint form in the space provided.
  - a. You may use extra space **ONLY** in Part I to describe any previous lawsuits you might have filed; and on Parts II(a) and II(e), to fully list the names of all the plaintiffs and defendants in your lawsuit.
  - b. **YOU MUST STATE THE FACTS OF YOUR CLAIM ONLY IN THE SPACE PROVIDED UNDER PART III. YOU MAY NOT USE MORE THAN THE SPACE PROVIDED.** Keep things short and to the point. Do not make legal arguments or cite cases, statutes or constitutional provisions -- you will be wasting valuable space. Such arguments and citations may be appropriate later, in response to a motion dismiss, but not now. Take lots of time to write, rewrite and rewrite again the facts of your claim, on your own paper, until you can fit it in the space provided. Get to the heart of your complaint. Several paragraphs, with dates, places, and names, should usually be enough.
  - c. You must state your request for relief only in the space provided under Part IV.
5. The filing fee is \$150.00.
6. If you cannot pay the filing fee and service costs, you may petition the court for leave to proceed in forma pauperis. You must complete and sign, under penalty of perjury, the enclosed petition and financial affidavit. This does not need to be notarized. Each plaintiff who seeks to file in forma pauperis must complete a petition and affidavit.
7. You have the right to a trial by jury. To preserve that right, your written jury demand should be filed along with your complaint.

### **MAIL COMPLETED FORMS TO:**

Clerk, United States District Court  
Rm. 362 Federal Courthouse  
517 E. Wisconsin Avenue  
Milwaukee, WI 53202

### **EQUAL EMPLOYMENT OPPORTUNITY CASE INFORMATION**

This is to clarify the Notice of Right to Sue or Determination letter you have received. It states that counsel may be appointed for you. However, this is not a matter of right but done at the discretion of the court. The following is the procedure you should use to file your case:

1. Fill out a civil complaint form if you wish to sue. You must do this before the 90 day time limit has expired.
2. File the complaint according to the attached instructions.
  - a. You must either pay the \$150.00 filing fee or fill out an affidavit of indigency if you wish to proceed in forma pauperis.
  - b. Attach a copy of your Right to Sue or Determination letter to the complaint.
3. Prepare a written motion requesting the court to appoint counsel to represent you if you are indigent.

The judge will rule on your motion and you will receive notice of his decision. In the alternative, you can find an attorney on your own to represent you.

**United States District Court  
Eastern District of Wisconsin**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Full Name of Plaintiff or Plaintiffs)  
vs  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Full Name of Defendant or Defendants)

No. \_\_\_\_\_  
(Supplied by Clerk)

**COMPLAINT**

**I. PREVIOUS LAWSUITS**

- A. Have you begun other lawsuits in state or federal court relating to the same occurrence involved in this action?

G YES                      G NO

- B. Have you begun other lawsuits in state or federal court?

G YES                      G NO

- C. If your answer to A or B was YES, provide the requested information below. If there is more than one lawsuit, describe each additional one on a separate sheet of paper, using the same outline.

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court in which lawsuit brought (if federal court, name district: if state court, name the county) \_\_\_\_\_

3. Docket number \_\_\_\_\_
4. Current status (for example: Was the case dismissed? Was it appealed? Is it still pending)? \_\_\_\_\_  
\_\_\_\_\_
5. Approximate date of filing lawsuit \_\_\_\_\_
6. Approximate date of disposition \_\_\_\_\_

## II. PARTIES

A. Your name (PLAINTIFF) \_\_\_\_\_  
\_\_\_\_\_

B. Your Address \_\_\_\_\_

(If there is more than one plaintiff, use the margin for extra space if you need it. List the address only if it is different from the address listed above).

C. DEFENDANT (name) \_\_\_\_\_  
\_\_\_\_\_

D. Defendants address \_\_\_\_\_  
\_\_\_\_\_

E. Additional DEFENDANTS (names and addresses) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## III. STATEMENT OF CLAIM (follow instructions carefully)

State briefly as possible the *essential facts* of your case. Tell what each defendant did to you that caused you to file this suit against them. If you are complaining about more than one wrong, use a separate **numbered** paragraph for each wrong, and describe each wrong in that paragraph and only that paragraph. State only the facts. *Do not give any legal theories or arguments, do not cite any cases or statutes. Do not feel you have to use all the space.* USE NO MORE THAN THE SPACE PROVIDED. THE COURT STRONGLY DISAPPROVES OF STATING CLAIMS OUTSIDE THE SPACE PROVIDED.

CIVIL RIGHTS COMPLAINT  
PRO SE FORM  
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## STATEMENT OF CLAIM CONTINUED

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## STATEMENT OF CLAIM CONTINUED

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

END STATEMENT OF CLAIM

**IV. RELIEF YOU REQUEST**

State exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes. DO NOT USE THIS SPACE TO STATE THE FACTS OF YOUR CLAIM. USE IT ONLY TO REQUEST REMEDIES FOR THE INJURIES YOU COMPLAIN ABOUT. Use only the space provided. The court strongly disapproves of requesting remedies outside the space provided.

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I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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(Signature of Plaintiff(s))



## NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS

TO: (A) \_\_\_\_\_

as (B) \_\_\_\_\_ (C) \_\_\_\_\_

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed.) A copy of the complaint is attached to this notice. It has been filed in the United States District Court for the (D) \_\_\_\_\_ District of \_\_\_\_\_ and has been assigned docket number (E) \_\_\_\_\_

This is not a formal summons or notification from the court, but rather my request that you sign and return the enclosed waiver of service in order to save the cost of serving you with a judicial summons and an additional copy of the complaint. The cost of services will be avoided if I receive a signed copy of the waiver within (F) \_\_\_\_\_ days after the date designated below as the date on which this Notice and Request is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the waiver is also attached for your records.

If you comply with this request and return the signed waiver, it will be filed with the court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, except that you will not be obligated to answer the complaint before 60 days from the date designated below as the date on which this notice is sent (or before 90 days from that date if your address is not in any judicial district of the United States.)

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Federal Rules of Civil Procedure and will then, to the extent authorized by those Rules, ask the court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to waive the service of the summons, which is set forth at the foot of the waiver form.

If I affirm that this request is being sent to you on behalf of the plaintiff, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Plaintiff's Attorney  
or Unrepresented Plaintiff

A - Name of individual defendant (or name of officer or agent of corporate defendant)

B - Title, or other relationship of individual to corporate defendant

C - Name of corporate defendant, if any

D - District

E - Docket number of action

F - Addressee must be given at least 30 days (60 days if located in foreign country) in which to return waiver.

# United States District Court

EASTERN DISTRICT OF WISCONSIN

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(Full Name of Plaintiff[s])

Plaintiff(s),

v.

Case No. \_\_\_\_\_

(Supplied by Clerk)

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(Full Name of Defendant[s])

Defendant(s).

## **PETITION AND AFFIDAVIT FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

I, \_\_\_\_\_, plaintiff, move the court for leave to proceed *in forma pauperis* in the above-named action. I declare under penalty of perjury that the following facts are true.

1. I am the party initiating this action and I believe I am entitled to redress.
2. I am unable to prepay the fees and costs of this proceeding, or to give security, because of my poverty.
3. I am (check one) ☐ Single    ☐ Married    ☐ Separated    ☐ Divorced
4. My responses to the following questions are true:
  - A. Are you presently employed? ☐ YES    ☐ NO
  - B. If the answer is "yes", state the amount of your salary or wages per month and give the name and address of your employer.

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- C. If the answer is "no", state the date of your last employment and the amount of your salary or wages per month that you received.

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- D. Have you received money from any of the following sources within the past 12 months?

Business, profession, or self-employment? G YES G NO

Rent payments, interest, or dividends? G YES G NO

Pensions, annuities, or life insurance payments? G YES G NO

Disability or workers' compensation payments? G YES G NO

Gifts or inheritances? G YES G NO

Any other sources? G YES G NO

If the answer to any of the above is yes, describe each source, the amount of the money received from each source during the past 12 months and the amount of money you expect you will continue to receive from each source. Please attach an additional sheet if necessary.

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- E. Do you have any cash or any checking, savings, or other accounts?  
G YES G NO

If the answer is "yes", state the total amount of cash and the average monthly balance in all checking, savings or other accounts during the last six months.

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- F. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles, jewelry, or other valuable property or assets (except for ordinary household furnishings and clothing)?

G YES G NO

If the answer is "yes", identify the property and state its approximate value:

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- G. Do you have any debts or obligations? G YES G NO

If yes, list the amounts owed, to whom, and any current payments that you are making, including rent and/or car payments per month, if any..

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- H. List the persons who are dependent upon you for support, state your relationship to each person, and state how much you contribute to each person's support.

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I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Plaintiff)